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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO/OAKLAND DIVISION**

**ALAMEDA COUNTY MALE PRISONERS, et
al.,**

Plaintiffs,

vs.

SHERIFF GREGORY AHERN, et al.,

Defendants.

Case No. 3:19-cv-07423 JSC

**DECLARATION OF JASON CARUCCI IN
SUPPORT OF PLAINTIFFS' APPLICATION
FOR TEMPORARY RESTRAINING ORDER**

DECLARATION OF JASON CARUCCI

I, JASON CARUCCI, declare:

1. I am currently an inmate in Santa Rita Jail (SRJ), the County Jail for Alameda County, housed in Housing Unit (HU) 31, Pod F.
2. Before I was moved to HU 31, I was housed in HU 22, Pod A for a month. And before I was housed in HU 22, I was a kitchen worker and lived in HU 25 for three months. I was moved into HU 22 because the jail medical decided to orange tag me as a high risk inmate. The day before I was moved from HU 25 to HU 22, I had a disagreement with a nurse. I have sleep apnea, and need a CPAP machine otherwise I am exhausted all the time. Since the jail does not provide CPAP machines, my

1 sister purchased one and mailed it in to the jail for me, after she made this arrangement with jail staff.
 2 My sister told me she had sent the machine, so I was checking with the nurse about the CPAP machine.
 3 The nurse told me she didn't know what I was talking about, I was persistent and asked her to check
 4 again, as this machine is vital to my wellbeing. She continued to tell me I was wrong and that what I
 5 was saying was untrue. I became frustrated. The day after this incident with the nurse, I was transferred
 6 to HU 22.

7 3. When I arrived at HU 22 (around early to mid-May 2020), no one told me why I was transferred.
 8 I asked deputies multiple times why I had been moved and I even filled out grievances to try and find
 9 some answers. No one told me anything for two weeks. Finally, two weeks in, a deputy told me I was
 10 "orange-tagged" for being "high risk" for Covid-19, because of my sleep apnea. Even after this deputy
 11 finally told me this information, I was still confused and upset. I was never told that my sleep apnea put
 12 me at higher risk for Covid-19 complications, and I still don't even completely believe that's true. This
 13 is because I talked to my sister around the time I was transferred, and after she did some research, she
 14 said she couldn't even find any evidence that sleep apnea means you're higher risk. Whether this
 15 information was true or not, it was a huge issue that SRJ staff either didn't know the answers to my
 16 questions for two weeks, or that they purposely kept me in the dark. I hated being in that unit, and it
 17 made it way worse that no one even told me for two weeks why I was forced to be there.
 18 I can't help but feel like I was transferred to this terrible unit partly because the nurse thought I put up a
 19 fuss about the machine and wanted to punish me.

20 4. It made no sense that I was housed in HU 22 in order to allegedly "protect" me from Covid-19.
 21 Living in HU 22 made it way more likely that I would catch the virus. For example, there was constant
 22 movement in and out HU 22, especially in my pod. By this, I mean that lots of new inmates came in and
 23 out of the pod daily, which I don't think could have possibly been proper "quarantine" procedure. For
 24 example, one day 20 new guys might come in to the housing unit and the next day, ten of them would
 25 leave and a bunch of other new guys would come in. From talking to other inmates in there, from
 26 overhearing conversations between other inmates and staff members, and from my own few
 27 conversations with staff members, I also found out that a few other guys in there were "orange-tagged"
 as well. And I found out that a lot of the movement in and out of HU 22 was coming from or going to

1 HU 8, HU 24, and HU 4. Actually, a deputy even told me that I was supposed to be moved to HU 4 but
2 they had to send me to HU 22 because HU 4 was full. There were inmates of all different classifications
3 in HU 22 with me, meaning they likely came from all different units of the jail (and meaning they were
4 probably tracking germs from all those areas of the jail into HU 22). I was worried many of these new
5 guys who came into the unit on a daily basis were also coming straight from the streets and bringing in
6 germs from the outside. We all used the same showers, same cleaning supplies, same tables, same day
7 room, etc. in the pod, so when we had our time out of the cell, so I was always worried about the amount
8 of germs and bacteria and virus in our common areas.

9 5. I hated HU 22 for a lot of reasons. Conditions in HU 22 were awful. I had just come from HU 25,
10 where we were allowed out of our cells pretty much all day. This is because we usually went to work in
11 the kitchen during the day, but when we had the day off from the kitchen, the cell doors were still open
12 all day so we were able to use the day room whenever we wanted. In HU 22 though, we were only
13 allowed out of our cells for a total of 30 minutes every three days. Not only was this a miserable
14 experience being locked up almost all the time, but it also prevented me from getting any exercise. I
15 have gained almost 100 pounds since being jailed in Santa Rita (I am now around 6'3" and 385 pounds),
16 and before I was sent to HU 22, I was starting to finally lose some weight. But moving to HU 22 and
17 being so stationary all the time ruined that progress I had made. Our 30 minutes out of the cell every
18 three days wasn't nearly enough time to exercise, shower, and clean your cell (this was also the only
19 time we received to clean the cell). It's not like the cleaning supplies were that helpful anyway. The
20 mop always came with a mop bucket full of dirty water – the water was always dark-colored and didn't
21 even smell like cleaning solution. I never saw the mop water changed out.

22 6. The jail says they do laundry exchange twice a week, but for the entire month I was in HU 22, I
23 only received a change of clothes one time.

24 7. The jail says they pass out tablets at 8AM, but in HU 22, we often received our tablets at noon
25 because they had to be "charged", even though they should have been charged overnight. The prices for
26 entertainment on the tablets are really expensive, and there's been a lot of issues with inmates being
27 overcharged for things they buy on the tablets. These inmates complain that it takes a while to receive
their refunds too.

8. The jail says the library cart is updated every month, but for the entire month I was in HU 22, there were no books. The cart was empty.

9. If the Wellpath video with Dr. Waldura was important for us to watch in order to learn about Covid-19, we were never told this. When the video first came out, deputies flipped to the channel and told us we could watch it, but they didn't tell everyone to watch it or tell us it was important. I watched it, but to me, it didn't even seem like it included any updates about Covid-19 in the jail or any information that I found useful – it just seemed to go over the basic protocol to keep yourself from getting sick, and a lot of what she said isn't possible to do in jail.

I declare under penalty of perjury of the laws of the State of California and the United States that the foregoing is true and correct to the best of my knowledge and belief. Because of the coronavirus, and my confinement, I was not able to sign this declaration in person. This declaration was read to me in its entirety in final form on the phone by JENNA SWARTZ on June 12, 2020 and June 16, 2020. I understand and verify its contents in full, and authorize Jenna Swartz to sign it on my behalf. Executed on June 17, 2020 in Oakland, California.



Signed by Jenna Swartz
Paralegal, Law Office of Yolanda Huang
on behalf of Jason Carucci